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Attorney for Plaintiffs
JAMES MCGIBNEY
VIAVIEW, INC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAMES MCGIBNEY, an individual, and
VIAVIEW, INC, a corporation,
Plaintiffs,

vs.

THOMAS RETZLAFF, an individual,
NEAL RAUHAUSER, an individual,
LANE LIPTON, an individual, and
DOES 1-5, individuals whose true names are not
known,

Defendants.

Case No.: 5:14-cv-01059 BLF

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO RESPOND
TO DEFENDANT LIPTON'S MOTION TO
DISMISS AND MOTION TO STRIKE**

Plaintiff James McGibney, an individual, and ViaView, Inc., a corporation (collectively, "Plaintiffs"), together with Defendant Lane Lipton ("Defendant"), by and through counsel (collectively, the "Parties"), submit the following joint stipulation and proposed order pursuant to Local Rule 6-2. In support thereof, Plaintiffs' counsel Jason S. Leiderman declares as follows:

1. In response to the Complaint in this case, Defendant Lane Lipton filed a Motion to Dismiss and a Special Motion to Strike Pursuant to Cal. Civ. Proc. Sec. 425.16 on July 3, 2014 ("Pending Motions").

(See Docket Nos. 15, 16.) The hearing date for the Pending Motions is set for September 18, 2014. Plaintiffs' response to the Pending Motions is set for July 17, 2014.

2. Plaintiffs' counsel was out of the country from June 4, 2014 until July 8, 2014. The month-long hiatus has created a backlog of work not just in this case, but other cases in which counsel is attorney of record.

3. On July 10, 2014, Plaintiffs' counsel conferred with Defendant's counsel regarding an extension of time to respond to the Pending Motions. Defendant's Counsel has agreed to extend the response date for the Pending Motions two weeks to July 31, 2014..

4. The court has not modified any other time limits in this case to this date.

5. The court has scheduled a case management conference for November 20, 2012, with a case management statement due a week prior. (See Docket No. 14.)

6. Extending the time to respond to Defendant's motions does not affect the court's case management schedule or any other schedule set by the court.

7. This stipulation shall not be considered a waiver of any claims or defenses of either party.

THEREFORE, the parties request the court accept the parties' stipulation and enter an Order extending Plaintiffs' time to respond to Defendant's motions until July 31, 2014.

Dated: 10 July 2014

LAW OFFICES OF JAY LEIDERMAN

By: /s/ Jay Leiderman
Jason S. Leiderman
Attorney for Plaintiffs
James McGibney
ViaView, Inc.
jay@criminal-lawyer.me

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1 Dated: 10 July 2014

BRAUNSTEIN & BRAUNSTEIN, P.C.

2
3 By: /s/ Clark Anthony Braunstein

4 Clark Anthony Braunstein

5 Attorney for Defendant Lane Lipton

6 clarkbraunstein@gmail.com

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8 //

9 Dated: 10 July 2014

LAW OFFICE OF ROBERT S. GIOLITO

10 By: /s/ Robert S. Giolito

11 Robert S. Giolito

12 Attorney for Defendant Lane Lipton

13 rgiolito@giolitolaw.com

14 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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17 Dated: July 16, 2014



18 HONORABLE BETH LABSON FREEMAN
19 UNITED STATES DISTRICT JUDGE
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